

Reduction in the sulphur content of certain liquid fuels. Codification

2014/0216(COD) - 15/07/2014 - Legislative proposal

PURPOSE: codification of Council Directive 1999/32/EC relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Council Directive 1999/32/EC has been substantially amended several times. On 1 April 1987, the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this, stressing the importance of codification.

The European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

CONTENT: in the interests of clarity and rationality, the purpose of this proposal is to undertake a codification of Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC.

The new Directive will supersede the various acts incorporated in it; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

The proposed Directive seeks to **reduce the emissions of sulphur dioxide resulting from the combustion of certain types of liquid fuels** and thereby to reduce the harmful effects of such emissions on man and the environment.

This Directive lays down the **maximum permitted sulphur content of heavy fuel oil, gas oil, marine gas oil and marine diesel oil** used in the Union.

With regard to the limit on the sulphur content of heavy fuel oil, the proposal provides for: (i) derogations in Member States and regions where the environmental conditions allow; (ii) derogations for their use in combustion plants which comply with the emission limit values laid down in Directive 2001/80/EC of the European Parliament and of the Council, or in Annex V to Directive 2010/75/EU of the European Parliament and of the Council.

To recall, in 2008, the International Maritime Organisation (IMO) adopted a resolution to amend Annex VI to the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL), containing regulations for the prevention of air pollution from ships. The revised Annex VI to MARPOL entered into force on 1 July 2010.

In order to ensure coherence with international law as well as to secure proper enforcement of new globally established sulphur standards in the Union, the codified Directive should be in line with the revised Annex VI to MARPOL.